

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Edward James Tillery

Docket No. 4:02-CR-62-1H

Petition for Action on Supervised Release

COMES NOW Taron N. Seburn, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Edward James Tillery, who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess with the Intent to Distribute More than 50 Grams of Cocaine Base (Crack), in violation of 21 U.S.C. § 846 and 21 U.S.C. § 841(b)(1)(A), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on March 17, 2003, to the custody of the Bureau of Prisons for a term of 216 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years.

On April 16, 2015, pursuant to 18 U.S.C § 3582(c)(2), Tillery's term of imprisonment was reduced to 175 months.

Edward James Tillery was released from custody on October 30, 2015, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On September 6, 2016, the defendant was arrested in Cabarrus County, North Carolina, for Driving While Impaired (16CR54036), Reckless Driving (16CR716205), Driving While License Revoked (16CR716209), and Expired Registration Card/Tag (16CR716206). On September 14, 2016, the defendant contacted this officer and acknowledged he was arrested for the aforementioned charges while traveling outside of the Eastern District of North Carolina without the permission of his supervising probation officer. The defendant received a verbal reprimand for his actions. As a sanction for his conduct, this officer recommends he be required to abide by the terms of the home detention program for a period of 60 days, and he shall not operate a motor vehicle on the highways of the State of North Carolina until his privilege to do so is restored in accordance with the law. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 60 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer.
2. The defendant shall not operate a motor vehicle on the highways of the State of North Carolina until his privilege to do so is restored in accordance with law.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,


I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael C. Brittain
Michael C. Brittain
Supervising U.S. Probation Officer

/s/ Taron N. Seburn
Taron N. Seburn
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2335
Executed On: September 26, 2016

ORDER OF THE COURT

Considered and ordered this 29th day of Sept, 2016, and ordered filed and
made a part of the records in the above case.



Malcolm J. Howard
Senior U.S. District Judge